

## COURT DECISIONS.

Notes of Cases Recently Decided,  
Which are of Interest to  
Our People.

DIGESTED BY W. B. MARTIN.  
(Exclusively for Virginian-Pilot.)

ALFORITRY V. BORGWARDT.  
Supreme Court of California.  
September 26, 1899.

**MORTGAGE UNDER CODE, SECTION 2,956, ON THE "INCREASE" OF SHEEP INCLUDES THEIR OFFSPRING, MERELY, AND NOT THE WOOL GROWN THEREON.**

The point decided appears from the opinion of the court.

The court says:  
"The only question involved in the demurrer is, does a chattel mortgage of sheep and the increase thereof cover the wool, the product of the sheep?"

In considering the question thus submitted, the statute authorizing chattel mortgages is of primary importance. Section 2,956, Civil Code, so far as material here, reads as follows: "Mortgages may be made upon the following personal property, and none other:—Neat Cattle, horses, mules, swine, sheep, goats and the increase thereof. Is wool to be sheared from the sheep by the mortgagor in possession included in this list? If not so included, and plainly included, when the words are given their general and unrestricted meaning, the lien would not attach to the wool, even if it were so nominated in the bond. It must be admitted that the word 'increase,' although variously used, has acquired a special meaning when applied to domestic animals. So applied, unless expressly qualified in the context, it invariably means the young of such animals. The word is often used in the decisions, and always refers, so far as I can find, to the offspring, and to nothing else. When we speak of the increase of a herd of cattle or a flock of sheep, we refer to the growth of the herd or flock by addition of new members. The natural increase can only mean the addition of new members by birth. The wool does not increase the flock of sheep. Quite possibly, because domestic animals are so frequently considered as herds, the word 'increase' has acquired this partially specialized meaning in respect to them, although now it is so understood even when a single animal is spoken of. I think, therefore, whether we consider the statute or the language of the lease alone, the conclusion is against the appellant. Affirmed.

CUMMINS V. S. LODGE I. O. O. F.  
Court of Appeals of Kansas.  
October 6, 1899.

**WHERE A WAITING ROOM IS ERECTED IN THE STREETS OF A CITY BY AUTHORITY OF THE COUNCILS, IT CANNOT BE ABATED AS A NUISANCE.**

The question in this case was whether a waiting room erected by a street railway in a public street under an authority given it to do so by the Councils of the city in which the street was situated could be abated as a nuisance on the complaint of an abutting lot owner, a view of whose house was partly obstructed by the waiting room. The lower court held that it could be abated and defendant appealed.

The court says:  
That a waiting room at or near the point where this building is located is a public convenience is apparent, and as said by the Supreme Court in Wood v. Water Works Co., the city corporation may make every use of a street which reasonably conduces to the public convenience and enjoyment. We think the city had the right to authorize the erection of the building, and that it did so authorize it by the ordinance referred to. Reversed.

**RELIGIOUS NOTES.**  
**BRIEF REFERENCE TO SERVICES HELD SUNDAY.**

The Rev. Ben C. Herr, of Lexington, Ky., who came to Norfolk with the probability of accepting a call to the pastorate of the Freeman Street Church of Christ (Disciples), preached two very able sermons to large congregations Sunday and made a most favorable impression. At the close of one of Mr. Herr's sermons the nominating committee unanimously recommended him for pastor. This recommendation will be ratified at a meeting of the congregation immediately after the morning service next Sunday.

Mr. Herr is a young preacher of fine pulpit attainments and should he accept a call from the church it will prosper under his ministrations. It is believed. He expressed himself as highly pleased with the outlook here. Mr. Herr left for his home last night.

The Baptist People's Union of the First Baptist Church conducted devotional services at the almshouse Sunday afternoon. Mr. W. T. Ballentine led the meeting. There were several talks by the members; also a solo and duet, followed by several requests for prayer by the inmates.

Grace Baptist Church has elected the following delegates to the State Baptist Association, which convenes in Richmond the 17th inst.: Rev. A. E. Owen, D. D. the pastor; William F. Moore, W. Russell Owen.

The Official Board of the Cumberland Street M. E. Church has extended an invitation to the Virginia Conference to hold its session of 1900 in that Church, as the conference will convene in Norfolk in November next.

Rev. Alexander Sprunt, D. D., of Rock Hill, S. C., preached two able and instructive sermons to large congregations at the Second Presbyterian Church Sunday.

**Sunday School Missionary Society.**  
The annual meeting of the Sunday School Missionary Society of Queen Street M. E. Church was held in the lecture-room Sunday morning. After the opening devotional exercises interesting talks on missions were made by several members, and was followed by reports of work during the year, which showed a gratifying increase over any preceding year. The following officers were elected:  
President—W. W. Seeley.  
Vice-President—Miss Lula Beale.  
Secretary—Mrs. Ellen Watson.  
Treasurer—F. J. Peterson.

## THE ROGER P. MOORE.

**STORY OF SCHOONER'S WRECK OFF HATTERAS.**

October 30th, at 6:45 p. m. the fine schooner Roger P. Moore went ashore five miles north of Cape Hatteras light and now lies on the beach, a total wreck. Yesterday her crew, with the exception of her master, Captain Frank Dix, arrived in Norfolk over the Norfolk and Southern railway, and rendezvoused at Mr. J. M. Jordan's, where a Virginian-Pilot reporter found them and gleaned the following story:

The Roger P. Moore was bound from Boston to Brunswick, Ga., light. She met with fair weather until Sunday, the 29th, when, about 4 p. m., a strong breeze from the W.S.W. set in and blew steadily all night. Sunday morning between 9 and 10 o'clock it grew thick and dirty, and knowing they were in the vicinity of Hatteras their course was laid to eastward, but at 2 p. m. the full force of the hurricane struck them, and being light and too close in to the cape to successfully beat to eastward of it, they put her head into the wind and went ashore stern foremost. Striking the outer bar, they expected to smash there, which would have been certain death, but being light they were forced over the bar and into smoother water, riding close to the beach before again striking. They were but a mile to southward of Big Kinnakeet, and the life saving crew of that station fired a gun line across the vessel, by which a strong line was made fast and the men all safely got ashore. Here they were cared for by Captain Gray and his men in the heartiest manner, and the following morning (Tuesday, 31st) the sea had gone down sufficiently for them to go aboard and get their belongings, which they did. Since then the wind and sea have made a total wreck of the vessel.

The men, who arrived here yesterday, were Mate Andrew Annis, Steward Emory W. Waite, Carl Johnson, George Prinkard, W. S. Martin and William Alpert, all of Boston, and all voicing the highest praise of Captain Gray and his men.

One of the crew shipped yesterday evening for a voyage south, and the others will probably ship from this port on any vessel needing good men.

Captains and shipping men are uniting in a common demand for the proper buoy marking of anchorage ground in the harbor, complaining that they now are never sure after dropping anchor at places selected by their tow that they will not have to up anchor and move to some other locality within the next hour or two. They say all this might easily be avoided by the laying out of anchorage grounds and marking the same with proper buoys so that captains generally would understand it and avoid the annoyance and expense they are now subject to.

The grounded schooner Bayard Barnes, ashore at Willoughby Spit has been pulled off and towed up to this harbor and anchored off Atlantic City.

## BAPTIST CONFERENCE.

**PASTORS SUBMIT REPORTS OF THEIR WORK.**

The Baptist Ministers' Conference met in the First Baptist Church yesterday morning, as usual, with the president, Rev. J. W. Mitchell, of Portsmouth, in the chair. It was report day, and there was much to encourage the conference.

Rev. W. P. Hines, of Park View, Portsmouth, gave the hand of fellowship to 16 new members, eight of whom had been baptized as the result of the recent meeting in the church.

Rev. W. F. Fisher, of Fourth Street, Portsmouth, reported a flourishing Sunday-School Association, Sunday afternoon prayer meeting, increasing congregations, and one profession of faith, and the same one received for baptism, and the hand of fellowship extended to one.

Rev. G. W. Cox, of Lambert's Point, received two by letter.

Rev. J. F. Love, of Suffolk, reported a fine meeting, in which many had professed faith in Christ. Twenty-two had been received, fifteen of them by baptism. One of the candidates was a Mr. Norfleet, 75 years old, who had the misfortune to have both feet cut off by the train not a great while ago. Mr. Love baptized him sitting in a chair.

Rev. Thos. Whitehurst, of this city, is preaching at Little Creek, near Norfolk, and will soon begin a protracted meeting there.

Dr. R. B. Garrett, D. D., of Portsmouth, received five during the month by letter.

Rev. T. C. Skinner, of Berkeley, received two by letter.

Rev. E. E. Dudley, of Norfolk, is in a meeting, with Rev. L. R. Christie assisting him. He received two by letter and two for baptism.

Rev. W. V. Savage, of Churchland, raised \$100 for the Baptist Orphanage at Salem.

Rev. Samuel Saunders, of Scottsville, reported a good meeting at his church.

Dr. Taylor reported five received by letter and one for baptism at Freeman Street Church.

## Born in San Juan.

The San Juan News of October 28th contains the following item, which will, no doubt, be of interest to many Norfolkers: "A fine boy, weighing eight and a half pounds, was born at half-past 12 o'clock last night to Mrs. R. E. Lindsay, wife of Robert E. Lindsay, chief machinist at the United States Naval Station. Mrs. Lindsay was attended by Dr. Weber, the naval surgeon, and is doing well. As far as we know, this is the first boy born to American parents in Porto Rico, as Mr. and Mrs. Lindsay both belong to Norfolk, Va."

Mrs. Lindsay is the sister of Mrs. E. C. Guy, of this city.

## Off to Korea.

Rev. William Ford Bull, who was at his graduation to represent Union Theological Seminary in the foreign fields, left last Saturday for his far away home, in Korea, Asia. He will be the second young man who has in ninety years gone into the foreign mission work from the Second Presbyterian Church of Norfolk.

**Dr. Bull's Cough Syrup.**  
The best remedy for Coughs, Consumption, Cures Coughs, Colds, Grippes, Bronchitis, Hoarseness, Asthma, Whooping Cough, Croup. Small doses; quick, sure results. Dr. Bull's Cough Syrup. Trial, 20 for 5c.

## SACRED HEART CHURCH.

**BEGINNING OF THE CATHOLIC MISSION SUNDAY.**

The mission which was opened in the Sacred Heart Catholic Church Sunday morning by the Jesuit Fathers, Gillispie and Glenn will continue two weeks.

A mission in the Catholic Church means a continuation of Christ's mission to earth. When here He preached His law. Before leaving earth He organized a teaching body to carry on His work. His commission to them is in these words: "Go, therefore, and teach all nations, and baptize them in the name of the Father, Son and Holy Spirit, for whosoever shall be baptized in the name of the Father, Son and Holy Spirit, I will send him to baptize in the name of the Father, Son and Holy Spirit, and to come to a knowledge of the truth."

## THE OPENING SERMON.

The opening sermon of the mission was preached by Father Gillispie. It was a powerful and impressive effort. His text was the words of the commission: "Go, therefore, and teach all nations." He said in part: "Missions in the Catholic Church, which, being the first, must be right, and because God and truth are one, must be the only one right, are old as Christianity. In the burning land of Africa, and in the frozen region of Alaska, from sea to sea, now, as from the beginning, missions are being given by the Catholic Church, which is the church of God, and must so continue until time is swallowed up by eternity."

The sermon at 8 o'clock Sunday night was preached by Father Gleason, his subject being "The End of Man." In other words: "Why God Created Us." His exposition was as clear as it was forceful, and all who have had the privilege of listening to his words were not only highly pleased, but deeply impressed.

## HOURS OF SERVICE.

Service during the mission will be held at the following hours:

Morning—8 o'clock, mass and sermon; 7 o'clock, mass; 9 o'clock, mass and sermon.

Afternoon—3 o'clock, Station of the Cross; 7:30 o'clock, sermon, benediction of the blessed sacrament.

N. B.—Religious articles are procured in boys' scries, from 8 to 11, morning; 3 to 5, afternoon, and 7 to 9, evening.

## An Anti-Nuptial Reception.

Miss Mattie Proctor Jordan, daughter of Mr. Amos P. Jordan, will be married to Mr. Augustus Winslow at McKendree M. E. Church at 5 o'clock this evening. A rehearsal was held at the church last night, at the conclusion of which the bride party, repaired to the residence of Mr. L. J. Oliver, on North Park avenue, where the bride and groom-elect, and attendants, with a select company of invited guests, relatives and close friends of the contracting parties, were tendered an elegant reception, during which numerous bridal presents, consisting of a handsome silver service and beautiful oil paintings, gifts from friends, were exhibited. Several hours of delightful social intercourse were enjoyed.

## King's Daughter's Tea.

The What-So-Ever Circle of the King's Daughters will give a tea at the residence of Mrs. R. L. Page, No. 300, Freeman street, Thursday, from 5 to 8 p. m. A fine musical and literary program will be rendered. Admission free.

## Words of Advice From a Banker.

Mr. Chas. E. Currier, of the Atlanta National Bank, is very careful with his words, not only in financing, but in his conversation generally. He suffered much from indigestion, and writes:  
"I have used Tyner's Dyspepsia Remedy in attacks of acute indigestion, and have always found it to give instantaneous relief. I consider it a medicine of high merit."  
Price 50 cents a bottle, at all druggists; or sent for price, express paid, by Tyner Dyspepsia Remedy Co., 45 Mitchell St., Atlanta, Ga.  
Send Five Cents in stamps to pay postage for Sample, FREE.

## DOZIER'S

**We have the best \$5 and \$10 Coats in Norfolk.**

If in your mind there lurks a single doubt that the above statement carries a single shadow of untruth, we will (if you desire it) allow you to take our \$5 and \$10 Coats out and compare them with any other stores' best \$5 and \$10 Coats, and, if after the comparison, you are not thoroughly convinced that ours are the best \$5 and \$10 Coats in all Norfolk, we will willingly take them back and cheerfully refund your money.

If we didn't have great confidence in these Coats we wouldn't give any such privilege and make any such promise as we do here.

The \$5 Coats are made of an excellent quality of black cheviot, in the newest styles, and lined throughout.

The \$10 Coats are made of fine sleek beaver cloth, in many styles; double breasted; some with fly fronts and some without the angles; some with scooped bottom and some plain; lined throughout with silk and satin; in the newest popular colors—tans, modes, grays, blues and black.

## S. DOZIER,

206 Main St., Norfolk, Va.  
ACADEMY OF MUSIC BUILDING.

## Would Like to Beat Young.

A Richmond special to the Washington Star says:

"One of the most interesting contests is that of the Senatorial District, which comprises Isle of Wight, Nansemond and Southampton counties. Colonel R. E. Shands, the incumbent, is the regular Democratic nominee. He is opposed by William Shands, a lawyer of Southampton. Mr. Shands claims to be the nominee of the party, but the State Committee has decided that his claims are not well founded. Yet Mr. Shands is making a very active canvass, and will pool a big vote. He may defeat Colonel Boykin, and if he should do so that will end the Colonel's chances to go to Congress from the Second District next year. He is anxious to beat William A. Young, the present representative."

## Returned from New York.

Councilmen W. P. Oberndorfer and Charles H. Consolo, Messrs. James V. Trehy and Edward C. Champlain and Chief of Police Kizer returned yesterday morning from several days' visit to New York. Returning, they stopped at Baltimore. They all report a pleasant time. Chief Kizer was on vacation leave and the others were also taking their annual pleasure jaunt.

## HAVE YOU TRIED THE NEW CURE

For All Forms of Dyspepsia?

More Relief Experienced in One Day's Treatment Than by a Month's Use of Old Remedies.

Did you ever before hear of a dyspepsia cure in which the manufacturers had enough confidence to allow a free test to everyone before purchasing?

Did you ever before know of a dyspepsia cure where the manufacturers refunded the money in case it failed to cure? This is the first time in the history of medicine that it has ever been done, and all persons afflicted should profit by the lesson taught; for no matter what you read or hear, it is a self-evident fact that the manufacturers of Hyomei Dyspepsia Cure have a confidence in their remedy that others have not. CAN YOU AFFORD TO EXPERIMENT?

It is guaranteed because it contains the only germicide that will destroy the bacilli which causes internal indigestion, the most dangerous form of dyspepsia.

It is guaranteed because it treats every phase of dyspepsia separately, and permits the use of remedies required to cure each case, which cannot be given in combinations, as they counteract the effect of each other.

Ask your druggists for free treatment, or send to us direct. If it affords relief, purchase a box, and we will refund the money if it fails to cure.

Sold by all druggists, or sent postage paid. Price, 50c.

THE R. T. BOOTH CO., Ithaca, N. Y.

**Hyomei Dyspepsia Cure**  
Is guaranteed because it contains the only germicide that will destroy the bacilli which causes internal indigestion, the most dangerous form of dyspepsia.

It is guaranteed because it treats every phase of dyspepsia separately, and permits the use of remedies required to cure each case, which cannot be given in combinations, as they counteract the effect of each other.

Ask your druggists for free treatment, or send to us direct. If it affords relief, purchase a box, and we will refund the money if it fails to cure.

Sold by all druggists, or sent postage paid. Price, 50c.

THE R. T. BOOTH CO., Ithaca, N. Y.

**A Waste of Time**  
and a waste of money are often times synonymous. You will save both time and money by purchasing your winter suits of us.

Just look at our prices.

## E. B. Brady & Co.,

Popular Price Tailors,  
Cor. Main and Church Streets.

**ATTENTION, LADIES**

Best Baltimore Ham, per pound.....12½c  
Best Baltimore Bacon, per pound.....10c  
Best Picnic Hams, per pound.....8c  
New Beans, per quart.....6c  
Best Peas, per quart.....5c  
Best Garden Peas, per can.....5c  
Best Tomatoes, 3-pound can.....5c  
Best Tomatoes, 2-pound can.....6c  
Best Tomato Catsup, 1 gallon jug.....75c  
New Sliced Apples, per pound.....25c  
Seeded Raisins and Currants, pkgs.....10c  
Clifton, 15c; two pounds for.....25c  
Fine California Prunes, per pound.....6c  
Anything else you want at the right price.

## VIRGINIA GROCERY CO.,

D. PENDER, Manager.  
61 AND 63 NEW MARKET PLACE.  
BOTH PHONES 42.

## MADE ME A MAN

**AJAX TABLETS POSITIVELY CURE**  
25 Nervous Disorders—Falling Memory, Impaired Sleep, Headache, etc., caused by Abuse or other Excesses and Indiscretions. They quickly and surely restore lost vitality in old or young, and fit a man for study, business or marriage.

For sale in Norfolk, Va., by Burrow, Martin & Co. and R. F. Holmes & Co., druggists.

**The Saks Stores**  
234-236 Main Street.

## It's Cold Enough

for the heavy Overcoat now—and we've just completed our stock variety. 150 different new styles—ranging in price from \$7.50 to \$50.

Over 25 lots at \$15. That's most sure to be the banner grade again this season. We manage to get really more than \$15 worth of value and style into it. Some nobby novelties (especially for the young men) among the rest.

We want to impress this point concerning our Overcoat stock—WHATEVER PRICE YOU PAY, IT BUYS THE BEST COAT THAT CAN BE PRODUCED FOR THE MONEY.

**Saks & Company.**

## UNPRECEDENTED SALE

—OF—  
**FINE FURS!**

**1/2 OFF FORMER PRICES.**

## Jas. W. Gilmer's

The store crowded all day with buyers. Never before in the history of the FUR trade of this city was there ever such enormous selling of Furs as at this sale. Greater bargains than ever known for such reliable merchandise.

Quote a few items to show how prices are being sacrificed.

## FURS

\$2.50 Child's Angora Collarette and Muff, \$1.25	50c. Angora, 25c.
\$4.00 Child's Carriage Robe, \$2.00	\$7.50 American Sable Scar, 2 heads and 8 tails, \$3.75.
\$7.50 Child's Carriage Robe, finest Sheep, \$3.75.	\$15.00 Black Marten, 8 tails, 2 heads, \$7.50.
\$7.00 Electric Seal Collarette, chin-chilla trimmed, \$3.00.	\$25.00 genuine Alaskan Seal skin with finest Persian Lamb Yoke, \$12.50. This is an exceptional bargain.
50c. Marten Heads, 15c.	
75c. Mink Heads, 25c.	

## GILMERS' HATS AND CAPS.

50c. Tams, 10c.	\$2.50 Men's Pearl, with wide golf brims, \$1.25.
25c. Boys' Golf Caps, 10c.	
50c. Boys' Golf Caps, silk lined, 25c.	\$4.00 Extra Fine Quality Brown and Black Derby, \$2.00.

## SALM BEHREND,

304 Main Street.

It will be to your interest to attend this sale.

## NEW STERLING SILVERWARE!

Spoons, Forks, Bowls, Dishes, &c. Nice Bridal Presents from \$1.00 to \$5.00, best value ever offered in Norfolk.  
Handsome Oak Chests containing Spoons, Forks and Fancy Pieces, from \$10.00 to \$100.00.

## New Line of Mantel and Fancy Clocks!

make fine Bridal Presents, both useful and ornamental.  
New line of Mantel and Clock Ornaments, handsome designs.  
New CUT GLASS, beautiful pieces, from \$2.00 to \$5.00 each. Best value ever offered in fine Cut Glass.

## DR. W. H. SHELLEY,

EYE SPECIALIST.

Is with us, and guarantees satisfaction. Moderate charges for Glasses. Examination Free. Office hours 2 to 6 p. m.; Saturdays, 9 p. m.

## CHAPMAN & JAKEMAN,

Cor. Main and Bank Streets.

## Attention, Ladies. Dixie Remyed Co.

Do you want new goods, latest styles and lowest market prices? If so go to 336 Main street, where you can find everything as advertised.

Dress Goods Department full—the newest and latest styles.  
Coat Department full and a magnificent lot to show.

## Gapes in Golf, Plush & Plain Cloth

Furs—Not a better assortment to be found in the city. Come and look at them.  
Blankets—White and colored cotton and wool Elderdown, 36-inch wide, leading shades.  
Kid Gloves in the new Fall shades.  
Balmorals and Petticoat headquarters. Underwear in Gents', Ladies' and Children's.

Many other goods not space to mention. Call and examine stock.

**L. H. Whitehurst,**  
336 MAIN STREET.  
New Phone 887.

## SYPHILIS!

Primary, Secondary or Tertiary Syphilis permanently cured in 15 to 35 days. You can be treated at home for the same price under same guaranty. If you prefer to come here we will contract to pay railroad fare and hotel bills, and no charge if we fail to cure. If you have taken mercury, iodine, potassium, and still have aches and pains, Mucous Patches in mouth, sore throat, dimples, copper colored spots, ulcers on any part of the body, hair or eyebrows falling out, it is this Syphilitic BLOOD POISON that we guarantee to cure. We solicit the most obstinate cases and challenge the world for a case we cannot cure. This disease has always baffled the skill of the most eminent physicians. Absolute proofs sent sealed on application. Also "Lost" and "Made" and make you feel like a boy. Also Gonorrhea, Gleet, Syphilis, torrhoea, Whites, unnatural discharges, or any inflammation or ulceration of mucous membranes cured. We guarantee to cure or money refunded. Write for blanks and booklets on these diseases. Address THE DIXIE REMEDY CO., P. O. Box 623, Norfolk, Va.